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Presentment Date: November 16, 2023
Time: 10:00 a.m.
Objections Due: November 15, 2023
Time: 5:00 p.m.

*Attorneys for Irving H. Picard, Trustee
for the Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and the Chapter 7 Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively
Consolidated SIPA Liquidation of Bernard L. Madoff
Investment Securities LLC and the Chapter 7 Estate of
Bernard L. Madoff,

Adv. Pro. No. 23-01099 (CGM)

Plaintiff,

v.

MALCOLM SAGE and LYNNE FLORIO,

Defendants.

**NOTICE OF PRESENTMENT OF ORDER DENYING IN PART AND
GRANTING IN PART DEFENDANTS' MOTION TO DISMISS THE COMPLAINT**

PLEASE TAKE NOTICE that pursuant to the Memorandum Decision Denying in Part and Granting in Part Defendants' Motion to Dismiss in *Picard v. Malcolm Sage and Lynne Florio*, Adv. Pro. No. 23-01099 (CGM) (Bankr. S.D.N.Y. October 3, 2023) [ECF No. 44], and in accordance with Local Bankruptcy Rule 9074-1(a), Irving H. Picard, as trustee (the "Trustee") for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa–III, and the substantively consolidated estate of Bernard L. Madoff, through his undersigned counsel, will present the proposed order granting in part and denying in part Defendants' Motion to Dismiss the Complaint, attached hereto as **Exhibit A**, to the Honorable Cecelia G. Morris, United States Bankruptcy Judge, for settlement and signature on **November 16, 2023 at 10:00 a.m.**

PLEASE TAKE FURTHER NOTICE that to the extent there is a counter-proposed order or objection to the proposed order, it must be in writing, and be filed with the Clerk of the United States Bankruptcy Court, One Bowling Green, New York, New York 10004, in by no later than **November 15, 2023 at 5:00 p.m.** (the "Objection Deadline"), with a courtesy copy delivered to the Chambers of the Honorable Cecelia G. Morris and served upon (a) Baker and Hostetler LLP, counsel for the Trustee, 45 Rockefeller Plaza, New York, New York 10111, Attn: David J. Sheehan and (b) Securities Investor Protection Corporation, 1667 K St. N.W., Suite 1000, Washington D.C. 20006-1620, Attn: Kevin H. Bell. Any objections to the proposed order must specifically state the interest that the objecting party has in these proceedings and the specific basis of any objection. Unless a counter-proposed order or written objection to the proposed order is received before the Objection Deadline, the proposed order may be signed and

entered by the Court without further notice.

Dated: October 17, 2023
New York, New York

BAKER & HOSTETLER LLP

By: /s/ David J. Sheehan
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Securities LLC and the Chapter 7 Estate of
Bernard L. Madoff*